

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,
Plaintiff,

8:06CR52

AARON C. WHITEHILL,
Defendant.

ORDER

Defendant Aaron C. Whitehill (Whitehill) appeared on a Second Amended Petition for Warrant or Summons For Offender Under Supervision (report) ([Filing No. 93](#)) on June 25, 2010. Through counsel, Assistant Federal Public Defender Jessica P. Douglas, Whitehill waived his right to a probable cause hearing on the violation of conditions of supervised release. I find from the report there is probable cause Whitehill has violated the terms of his supervised release, and Whitehill is held to answer for a final dispositional hearing before the Honorable Laurie Smith Camp.

The government moved for detention. Through counsel, Whitehill declined to present any evidence on the issue of detention and otherwise waived a detention hearing. Since it is Whitehill's burden under 18 U.S.C. § 3143 to establish by clear and convincing evidence that he is neither a flight risk nor a danger to the community, the court finds Whitehill has failed to carry his burden and Whitehill should be detained pending a dispositional hearing before Judge Laurie Smith Camp.

IT IS ORDERED:

1. A final dispositional hearing in this matter will be held before the Honorable Laurie Smith Camp in Courtroom Number 2, Third Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, **at 1:00 p.m. on August 23, 2010**. Defendant must be present in person.
2. Defendant Aaron C. Whitehill is committed to the custody of the Attorney General or his designated representative for confinement in a correctional facility;
3. Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel; and
4. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 25th day of June 2010.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge